



General Assembly

January Session, 2013

## ***Substitute Bill No. 6513***



### ***AN ACT CONCERNING THE BUDGET AND SPECIAL ASSESSMENT APPROVAL PROCESS IN COMMON INTEREST COMMUNITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) and (b) of section 47-261e of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2013*):

4 (a) The executive board, at least annually, shall adopt a proposed  
5 budget for the common interest community for consideration by the  
6 unit owners. Not later than thirty days after the adoption of a  
7 proposed budget, the executive board shall provide to all unit owners  
8 a summary of the proposed budget, including a statement of the  
9 amount of any reserves, and a statement of the basis on which such  
10 reserves are calculated and funded. Simultaneously, the board shall set  
11 a date not less than ten days or more than sixty days after providing  
12 the summary for either a meeting of the unit owners or a vote by ballot  
13 without a meeting to consider approval or rejection of the proposed  
14 budget. If, at that meeting or in the vote by ballot, a majority of [all]  
15 unit owners [or any larger number specified in the declaration] votes  
16 to reject the proposed budget, the proposed budget shall be rejected,  
17 provided not less than thirty-three and one-third per cent of the unit  
18 owners entitled to vote on the proposed budget vote at that meeting or  
19 in the vote by ballot to reject the proposed budget. [If, at that meeting  
20 or in the vote by ballot, a majority of all unit owners or any larger

21 number specified in the declaration does not vote to reject the budget,  
22 the budget shall be approved. The] If an association's declaration or  
23 bylaws include quorum requirements for a meeting, the absence of a  
24 quorum at such meeting or participating in the vote by ballot shall not  
25 affect rejection or approval of the proposed budget. If a proposed  
26 budget is rejected, the budget last approved by the unit owners  
27 continues until unit owners approve a subsequent budget. If a  
28 proposed budget is not rejected in accordance with the provisions of  
29 this subsection, the proposed budget shall be deemed approved.

30 (b) The executive board, at any time, may propose a special  
31 assessment. Not later than thirty days after adoption of a proposed  
32 special assessment, the executive board shall provide to all unit owners  
33 a summary of the proposed special assessment. Unless the declaration  
34 or bylaws otherwise provide, if [such] the proposed special  
35 assessment, together with all other special and emergency assessments  
36 proposed by the executive board in the same calendar year, do not  
37 exceed fifteen per cent of the association's last adopted periodic budget  
38 for that calendar year, the proposed special assessment is effective  
39 without approval of the unit owners. Otherwise, the board shall set a  
40 date not less than ten days or more than sixty days after providing the  
41 summary for either a meeting of the unit owners or a vote by ballot  
42 without a meeting to consider approval or rejection of the proposed  
43 special assessment. If, at [such] that meeting or in the [balloting] vote  
44 by ballot, a majority of [all] unit owners [or any larger number  
45 specified in the declaration] votes to reject the proposed special  
46 assessment, the proposed special assessment shall be rejected,  
47 provided not less than thirty-three and one-third per cent of the unit  
48 owners entitled to vote on the proposed special assessment vote at that  
49 meeting or in the vote by ballot to reject the proposed special  
50 assessment. [If, at such meeting or in the balloting, a majority of all  
51 unit owners or any larger number specified in the declaration does not  
52 vote to reject the special assessment, the special assessment shall be  
53 approved. The] If an association's declaration or bylaws include  
54 quorum requirements for a meeting, the absence of a quorum at such

55 meeting or participating in the vote by ballot shall not affect the  
56 rejection or approval of the proposed special assessment. If a proposed  
57 special assessment is not rejected in accordance with the provisions of  
58 this subsection, the proposed special assessment shall be deemed  
59 approved.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2013	47-261e(a) and (b)
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***Statement of Legislative Commissioners:***

In section 1(a), in the fifth sentence, "budget" was changed to "proposed budget" for consistency and in section 1(b), in the fifth sentence, "special assessment" was changed to "proposed special assessment" for consistency.

***JUD***      *Joint Favorable Subst. -LCO*